

*DeFelice 6-36
Serial No. 09/885,818*

Remarks

Amendments to the Claims

Allowed claims 1-5 and 15-18 remain in the application. No amendments have been made to these claims.

Withdrawn claims 6-14 and 19-25 have been canceled.

No new matter has been added by these amendments.

Restriction Requirement – 37 CFR 1.142

Claims 1-25 have been made subject to a restriction requirement, the Examiner arguing that claims 6-14 and 19-25, as amended by Applicants' response of January 10, 2004, "are directed to an invention that is independent or distinct from the invention originally claimed" for the reasons set forth in paragraph 1 at page 2 of the Office action.

In addition, the Examiner notes that since "applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 6-14 and 19-25 are withdrawn from consideration as being directed to a non-elected invention. Sec 37 CFR 1.142(b) and MPEP §821.03."

Applicants hereby confirm their construction election of the invention defined by claims 1-5 and 15-18. Accordingly, it is Applicants' intention to make the invention defined by claims 6-14 and 19-25, which have been canceled, the subject matter of a divisional application.

*DeFelice 6-36
Serial No. 09/885,818*

Allowed Claims

Applicants' acknowledge and gratefully appreciate that the Examiner has indicated that claims 1-5 and 15-18 are allowable for the reasons set forth in paragraph 2 at pages 2-3 of the Office action. Applicants are in agreement with the Examiner's decision and his reasons in support thereof.

Conclusion

In view of the foregoing, allowance of claims 1-5 and 15-18, and passage of this application to issue, are hereby respectfully requested. If during the consideration of this paper, the Commissioner believes that resolution of the issues raised will be facilitated by further discussion, he is urged to contact the undersigned attorney at 610-691-7710 (voice) or 610-691-8434 (fax).

Respectfully,

Richard Alden DeFelice
Ashok V. Krishnamoorthy

By 

Michael J. Urbano
Attorney for Applicant(s)
Reg. No. 24, 522
610-691-7710

Date: 06/08/04